

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

MONSANTO COMPANY and	)	
MONSANTO TECHNOLOGY, LLC,	)	
	)	
Plaintiffs,	)	
	)	No. 1:10-cv-01290-JDB
v.	)	
	)	
SOUTHFORK FARMS, LLC,	)	
SCOTT ROLAND, and	)	
WILLIAM L. JOHNSON,	)	
	)	
Defendants.	)	

ORDER GRANTING PLAINTIFFS' MOTION TO EXTEND JUDGMENT

On September 30, 2013, this Court entered a consent judgment in this matter in favor of the Plaintiffs, Monsanto Company and Monsanto Technology, LLC (collectively, "Monsanto" or the "Judgment Creditor"), against Scott Roland (sometimes referred to herein as the "Judgment Debtor"). (Docket Entry ("D.E.") 126.) On August 18, 2023, Plaintiffs moved to extend the duration of the judgment for another ten years. (D.E. 127.)

Rule 69 of the Federal Rules of Civil Procedure provides in pertinent part that "[t]he procedure on execution--and in proceedings supplementary to and in aid of judgment or execution--must accord with the procedure of the state where the court is located, but a federal statute governs to the extent it applies." Fed. R. Civ. P. 69(a)(1). "Because there is no specific federal statute of limitations on how long a federal judgment is effective, courts look to state law." *Belay Capital Partners I, LLC v. Windhaven Shores, Inc.*, No. 3:10-cv-00034, 2022 WL 1230251, at \*1 (M.D. Tenn. Apr. 26, 2022) (quoting *Gibson Guitar Corp. v. Tokai Gakki Co.*, No. 3:04-cv-0449, 2019 WL 6332170, at \*1 (M.D. Tenn. Feb. 27, 2019)) (brackets omitted). In Tennessee, judgments

expire after ten years, *Chavez v. Carranza*, No. 2:03-cv-02932-JPM-tmp, 2016 WL 626571, at \*2 (W.D. Tenn. Feb. 16, 2016), but may be extended, *Arvest Bank v. Byrd*, Case No. 10-cv-02004, 2022 WL 497531, at \*1 (W.D. Tenn. Jan. 18, 2022). Rule 69.04 of the Tennessee Rules of Civil Procedure, under which the instant motion has been brought, provides:

Within ten years from the entry of a judgment, the creditor whose judgment remains unsatisfied may file a motion to extend the judgment for another ten years. A copy of the motion shall be mailed by the judgment creditor to the last known address of the judgment debtor. If no response is filed by the judgment debtor within thirty days of the date the motion is filed with the clerk of court, the motion shall be granted without further notice or hearing, and an order extending the judgment shall be entered by the court. If a response is filed within thirty days of the filing date of the motion, the burden is on the judgment debtor to show why the judgment should not be extended for an additional ten years. The same procedure can be repeated within any additional ten-year period.

Monsanto certified that the August 18, 2023, motion was being served by mail upon the Judgment Debtor at his last known address--422 Ed Woods Road in Bells, Tennessee--the same day the motion was docketed. Pursuant to the Tennessee rule, Roland had thirty days in which to respond. On September 22, 2023, shortly after the period had expired, Monsanto filed a supplemental certificate of service informing the Court that, on September 1, 2023, the certified mail package containing the August 18 motion was returned to the Judgment Creditors' counsel marked as undeliverable. (D.E. 128.) Counsel obtained a different address for Roland--4561 Bells Highway in Jackson, Tennessee--and, on September 22, 2023, a new service package containing the August 18 motion was served on the Judgment Debtor at the Bells Highway address.

On October 30, 2023, Monsanto renewed its request for an extension of the duration of the judgment, as no response to the motion has been filed on Roland's behalf and the thirty-day period has elapsed. (D.E. 129.)

Based on the foregoing, the motion is GRANTED. The consent judgment shall remain in full force and effect until September 30, 2033, subject to further extension. Plaintiffs shall mail a copy of this order to the Judgment Debtor.

IT IS SO ORDERED this 3rd day of November 2023.

s/ J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE